



BY FACSIMILE 212-805-6717

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

Re: *Mark Kapiti v. Raymond W. Kelly, et al.*
Index No. 07 Civ. 3782 (RMB)

THE LAW OFFICES OF

MEMO ENDORSED

STEVEN L. KESSLER

July 16, 2008

*July 23, '08 submission
is fine. 10pp page limit is
preferred.*

SO ORDERED,

Date: 7/16/08

Richard A. Berman
Richard M. Berman, U.S.D.J.

Dear Judge Berman:

This office represents plaintiff Mark Kapiti in the referenced civil rights action.

Pursuant to an endorsed letter by the Court extending defendants' time to file their responding papers to plaintiff's motion, plaintiff's reply papers were made returnable today. As the Court is aware, defendants' response papers far exceeded the Court's page limitations. Therefore, it has been difficult for plaintiff to respond to what amounts to be a 50 page reply memorandum with a lot of new material within the Court's 10 page limitation for reply papers. As plaintiff endeavors to comply with the Court's rules, and with vacation schedules playing games with Court conferences and submission dates, we respectfully request an extension until July 23 to submit our reply. Of course, we will attempt to stay within the 10 page limitation. However, in the event that such an attempt becomes impossible, we also herein request an extension of the page limitation for our reply papers.

Thank you for your courtesies in the matter.

Respectfully submitted,

Stevens L. Kessler
Steven L. Kessler (SK-0426)

SLK:rmaf

cc: ACC David M. Hazan